IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE THIRTIETH DAY OF AUGUST
TWO THOUSAND AND FIVE

PRESENT

**THE HON'BLE MR JUSTICE K.C. BHANU**

**WRIT PETITION No. 19065 of 2005**

Between:

Magapu Subrahmanyam

**..... PETITIONER**

AND

The Special Cader Deputy Registrar,

Officer on Special Duty,
The District Co-op. Central Bank, KAKINADA.
East Godavari District and 2 others

**.....RESPONDENTS**

**ORDER:**

Challenging the auction sale to be held on 30.08.2005, the present writ petition is filed.

Heard the learned counsel on either side.

The execution court is the competent authority to proceed to conduct auction of the properties. The only contention raised by the learned counsel for the petitioner is that the property now put in auction was already attached by a competent court of civil in nature. This fact can be brought to the notice of the execution court. When once the property attached by a competent court of civil in nature, the same property cannot be sold in auction. The writ petition is devoid of merit and liable to be dismissed.

Accordingly, the Writ Petition is dismissed. No order as to costs.

_____

**K.C. BHANU,J**

Dated: 30.08.2005

Dsr